App. F. IX-4

Previous References

1935.
(Supp)

File No. [illegible]

Serial Nos. 446

Letter References.

PRESERVED

GENERAL AND REVENUE SECRETARIAT.

Serial Nos. 7

Part B for December 1936

SUBJECT.

Re modification of Govt rules re
of licenses and production of G's.

Modification of the rules in regard to the renewal of license & production of C.I.D. permits

Serial No.	
4.	From The Inspector General of Police No Rs C 69 dated 17.12.1935 Suggests that in the interest of both of the Checking work and of the vehicle themselves that condition 3 (e) of M. G. permit has to be suitably altered so as to include production of permit also and also of the Registration certificate in the 'C' forms. The following suggestions of the I. G. P for orders. (1) A fee for the grant of fresh license fixed at Rs 5/- and for subsequent renewal (a) Rs 3 in case the application & payment are made before the previous expiry of the period of the lic (b) Rs 5, if application is made subsequent to the expiry of the previous period of the license (2) Alteration of condition 3 (e) of the permit so as to include the produ of the permit also (3) Amendment of the rule re: grant registration certificates so as to include the production of the cer

NOTE—Contn Sheet.

WD 3594—GPB—30,000—13-7-35

Issued

Draft 31/12/35 — The Spl Officer will be

Fair

To dear with these impressions

(Gen Secy) Yes DMP 31/10

GENERAL 1 NOV. 1935 7-12

Lwo 2/11

Spl Officer W. C } DMP 2/11

Notes If considered necessary all and certain may be sent to Dy P Asst Secy file returned to me

Asst Secy will comply. BKR 9/11

DMP 9/11

draft Circular

Dom 4/9 Issue & Circular to this BKR DMP 11/11

No. 32/1.4 dt 13-11-35

State & Central Railways being considered in connection with the rules that are now to be issued under the new Road Traffic and Brakes Reform

2419 of 35.

Renewal of Licenses for ~~Duty~~ Driving motor Vehicles.

General and Revenue Secretariat | File No. | of 193 | [App. F. III—2

Serial No.

Necessary action has been taken on the revised rules. Record

B

9/4

B & W.C.)

NOTE—Contn Sheet.

WD 03594—GPB—30,000—13-7-35

MOTOR VEHICLES DEPARTMENT.

Tel. Address
"POLICE"

PHONE No. 298

OFFICE OF THE INSPECTOR-GENERAL OF POLICE
IN MYSORE, AND REGISTERING AUTHORITY,
BANGALORE CITY.

When replying please quote No. R.C. 69 35-36

Dated, 17th October, 1935

FROM

F. A. HAMILTON, Esq., C.I.E.
Inspector-General of Police in Mysore,
and Registering Authority, Motor Vehicles Department,
BANGALORE.

To

H. V. RAMASVAMI, Esqr., M.A., B.L.,
Chief Secretary to the Government of Mysore,
BANGALORE.

18 OCT. 1935

Sir,

I have the honour to state that several cases have occurred in the Mysore District which seem to call for a modification of the Rules in regard to the renew of licenses for driving motor vehicles and the production of "G" and "H" permits in cases of vehicles licensed for hire, on demand by Police Officers.

In the former class of cases, it is observed that license holders invariab apply for a renewal of the license after the expiry of the license and rarely bef it. In such cases, between the expiry of the period of license and the grant of application for the renewal or the date of renewal, a certain time elapses and during the interval people continue to drive. It is very difficult to keep chec over such persons and even when discovered the excuse is put forward that the renewal has been asked for. There have been cases where Magistrates themselves have done so. In order to make the renewal of a license more prompt and effecti the fee for the renewal of a license, when applied for after the expiry of the period of license may be increased. I would suggest that the fee for the grant a license may be fixed at Rs.5/- and fee for subsequent renewal at Rs.3/- if application and payment is made before the date of the expiry of the period of th license or Rs.5/- if application is made subsequent to that date. In Madras the fee for the grant of a new license is Rs.5/- and for the renewal of a license already granted is Rs.3/- with the penalty if renewed late.

With regard to "G" and "H" permits, condition 3 (e) of the "G" permit requir that the permit should be carried on the vehicle. There is no express provision that the permit should be produced when demanded, as for example in the case of a driving license (Section 8). In a case in the Mysore District, in which the City Magistrate acquitted the accused on the ground that the rules did not require

him to produce the permits, the Public Prosecutor to whom the matter was referred, replied as follows:-

xxxx

"I am afraid that there is a slight confusion of issues in this case. It is not clear whether the accused was charged for non-production for checking the "G" and "H" permits or for not carrying the said permits in the running bus. The learned Magistrate assumed that the prosecution case was for the former kind of infringement and acquitted the accused on the ground that the Jamadar had no authority to demand the production of permits. I concur in his opinion regarding the mode of interpreting a statue.

If the prosecution were for the offence of not carrying permits in the running bus then, I think, the Jamadar ought to have got the vehicle thoroughly searched to find out if the permits were being concealed in the vehicle by the accused. A false statement by the accused that the permits were with the District Magistrate cannot be relied upon for proving the guilt of the accused.

The Rules under the M.V. Regulation are being redrafted by the Government. In my opinion this is not a fit case for appeal.

It is desirable in the interest of both of the checking work and of the vehicle owners themselves that the rule should be clear. I therefore suggest that the condition 3(c) of the "G" permit may be suitably altered so as to include production of permit also.

Another matter of similar importance is the production of the "C" registration certificates of motor vehicles. Rule 18 of the Motor Vehicles Rules provides for the registration certificate in form "C" granted in respect of a motor vehicle which is required under the rules to be registered annually to be carried by the person driving such vehicle. But there is no provision requiring the production of the registration certificate on demand by a Police Officer. The production of a registration certificate is implied but to make matter clear the rule requires suitable amendment.

I have the honour to be,
Sir,
Your most obedient servant,

INSPECTOR GENERAL OF POLICE

GOVERNMENT OF HIS HIGHNESS THE MAHARAJA OF MYSORE

General and Revenue Secretariat

No. P 3216

Dated, Bangalore, 12th Novr. 193 5

13

From

The *General Secretary to the Government of His Highness the Maharaja of Mysore.*

To

The Inspector General of Police in Mysore,

Bangalore.

Sir,

With reference to your letter No.R 2.C.69/35-36 dated 17th October 1935, suggesting that condition 3 (C) of the G Permit may be modified and the rule re. production of registration certificate be made clear, I am directed to state that the matter is being considered in connection with the rules that are now to be issued under the New Road Traffic and Taxes Regulation.

I have the honour to be,

Sir,

Your most obedient servant,

For General Secretary to Govemment.

mk.

No P3214/ 17/11/35

Legs 23-35-6

To

The Assistant Comptroller

Sir,

With reference to your letter No D2.C.69/35-36 of 17.10.35, suggesting the condition 3(c) of the G. Permit may be modified & am directed to state that the matter is being considered in connection with the Rules that are now to be issued under the new Road Traffic & Taxes Regulations

for
11/11
for General